

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 07-4044

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J. MICHAEL CHARLES; MAURICE W. WARD, JR.;  
JOSEPH I. FINK, JR., on behalf of themselves and  
all others similarly; THOMAS S. TROUP,  
*Appellants*

vs.

PEPCO HOLDINGS, INC; CONECTIV;  
PEPCO HOLDINGS RETIREMENT PLAN

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On Appeal from the United States District Court  
For the District of Delaware  
(Civ. Nos. 05-cv-00702 & 06-cv-00010)  
District Court Judge: Honorable Sue L. Robinson

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Argued  
September 22, 2008

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Before: BARRY, AMBRO and GARTH, *Circuit Judges*,

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**JUDGMENT**

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This cause came to be heard on the record from the District Court of Delaware and was argued on September 22, 2008. On consideration whereof, it is now here

ORDERED and ADJUDGED by this Court that the District Court's judgment of September 19, 2007 is AFFIRMED.

Each party will bear its own costs.

All of the above in accordance with the Opinion of this Court.

ATTEST:

/s/ Marcia M. Waldron  
Clerk

Dated: November 4, 2008

  
Certified as a true copy and issued in lieu  
of a formal mandate on 12/23/2008  
Teste: *Marcia M. Waldron*  
Clerk, U.S. Court of Appeals for the Third Circuit